

PART D. SENTENCING OPTIONSCustody

174. **Statutory Provisions:** As to each of Counts 9, 12, 13, 20, 22, 27, 29, 30, 32, 34, 38, 40, 42, 44, 46, 54, 59, 63, 68, 69, 72, 75, 76, and 77 of the Superseding Indictment, the maximum term of imprisonment is 30 years, pursuant to 18 U.S.C. § 1344.
175. As to each of Counts 11, 16, 17, 48, 49, 50, 56, 57, 58, and 71 of the Superseding Indictment, the maximum term of imprisonment is 10 years, pursuant to 18 U.S.C. § 1029(a).
176. As to Count 9 of the Information, the maximum term of imprisonment is 20 years, pursuant to 18 U.S.C. § 1956.
177. As to Count 10 of the Information, the maximum term of imprisonment is 5 years, pursuant to 18 U.S.C. § 2319(b)(1).
- * 178. **Advisory Guideline Provisions:** Based on a total offense level of 21 and a criminal history category of III, the guideline range for imprisonment is 46 to 57 months. U.S.S.G. Chapter Five, Part A. *18 USC 3553a, app 62*
179. Since the applicable guideline range is in Zone D of the Sentencing Table, the minimum term shall be satisfied by a sentence of imprisonment. U.S.S.G. § 5C1.1(f).

Impact of the Plea Agreement

180. The defendant pled guilty to Counts 9, 12, 13, 20, 22, 27, 29, 30, 32, 34, 38, 40, 42, 44, 46, 54, 59, 63, 68, 69, 72, 75, 76, and 77 (Bank Fraud); Counts 11, 16, 17, 48, 49, 50, 56, 57, 58, and 71 (Access Device Fraud); Count 9 of the Information (Money Laundering); and Count 10 of the Information (Copyright Infringement). Had the defendant been convicted of all counts as charged in the Superseding Indictment and Information, there would be no impact on the offense level because all relevant factors have been considered in the guideline computations. *

Supervised Release

181. **Statutory Provisions:** As to each of Counts 9, 12, 13, 20, 22, 27, 29, 30, 32, 34, 38, 40, 42, 44, 46, 54, 59, 63, 68, 69, 72, 75, 76, and 77 of the Superseding Indictment, if a term of imprisonment is imposed, the Court may impose a term of supervised release of not more than 5 years, pursuant to 18 U.S.C. § 3583(b)(1).

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EXHIBIT "C"